

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

JOHN LEE MEYER

§
§
§
§
§
§

v.

CIVIL ACTION NO. 6:14cv744

FLOYD HISER

ORDER ADOPTING REPORT AND
RECOMMENDADTION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case, has been presented for consideration. The Report and Recommendation (Doc. No. 6) recommends that the complaint be dismissed with prejudice for lack of subject matter jurisdiction, but without prejudice to the re-filing of Plaintiff's claims in an appropriate state court. Plaintiff filed written objections to the Report and Recommendation on November 26, 2014 (Doc. No. 10).

Having made a *de novo* review of the written objections filed by Plaintiff, the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. It is therefore **ORDERED** that the complaint is **DISMISSED WITH PREJUDICE** for lack of subject matter jurisdiction. The dismissal is without prejudice to the re-filing of Plaintiff's claims in an appropriate state court.

All motions by either party not previously ruled on are hereby **DENIED**.

It is SO ORDERED.

SIGNED this 3rd day of December, 2014.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE